

Message Text

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43

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DRAFTED BY PA/MS/ED:LJOHNSON:GJM

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FM SECSTATE WASHDC

TO AMEMBASSY DUBLIN

UNCLAS STATE 107454

E.O. 11652:N/A

TAGS: PFOR, EI

SUBJECT: REFERENCE TO IRA IN DEPT BULLETIN

1. REFERENCE TO IRA IS FROM ADDRESS BY DEPARTMENT
LEGAL ADVISER JOHN R. STEVENSON MADE BEFORE BAR ASSOCIATION
OF NEW YORK CITY ON NOV. 9, 1972. SUBJECT OF SPEECH ON
INTERNATIONAL TERRORISM AND REFERENCE IS TO DRAFT CONVENTION
FOR THE PREVENTION AND PUNISHMENT OF CERTAIN ACTS OF INTER-
NATIONAL TERRORISM CIRCULATED BY SECSTATE ROGERS TO THE
UNGA ON SEPT. 25.

2. PASSAGE FOLLOWS: "ON THE OTHER HAND, THE CONVEN-
TION WOULD NOT DEAL WITH INTERNAL CONFLICTS WITHIN A STATE
UNLESS SUCH CONFLICTS WERE EXPORTED TO THE TERRITORY OF
THIRD STATES OR DIRECTED AGAINST THIRD-COUNTRY NATIONALS.
THUS, THE CONVENTION WOULD NEITHER COVER THE ACT OF A FREE-
DOM FIGHTER IN RHODESIA OR ANGOLA WHO ATTACKS A GOVERNMENT
SOLDIER NOR AN ATTACK BY A MEMBER OF THE IRA AGAINST A BRI-
TISH SOLDIER IN NORTHERN IRELAND. INDEED, THE CONVENTION
DOES NOT AFFECT THE RIGHT OF SELF-DETERMINATION IN ANY WAY.
THAT RIGHT IS ENSHRINED IN THE U.N. CHARTER AND STRONGLY RE-
AFFIRMED IN THE FRIENDLY RELATIONS DECLARATION. THE UNITED
STATES, IN LINE WITH ITS OWN HISTORIC EXPERIENCE, IS A
STRONG SUPPORTER OF THAT RIGHT. MOREOVER, THE CONVENTION
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WOULD YIELD TO ANY OF THE OTHER MORE SPECIALIZED CONVENTIONS GOVERNING ATTACKS AGAINST DIPLOMATS OR CIVIL AVIATION WHERE SUCH CONVENTIONS ARE APPLICABLE. FOR EXAMPLE, THE RECENT HIJACKINGS BY CROATION TERRORISTS IN SWEDEN WOULD BE GOVERNED BY THE 1970 HAGUE HIJACKING CONVENTION IF THERE WERE A CONFLICT BETWEEN THE CONVENTION AND THE NEW DRAFT CONVENTION."

3. FULL TEXT OF ADDRESS FOLLOWS BY AIR POUCH. KISSINGER

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